JAMES V. COSTIGAN

KENNETH F. FLOREK

KATHLEEN A. COSTIGAN

KATHARINE G. LOVING

NICHOLAS P. CHIARA

MATTHEW J. SOLOW JORDAN G. GARNER

ALAN D. CLEMENT MARTIN P. ENDRES

JOHN F. VOLPE

2123028998

Application No.: 10/519,736

RECEIVED Examiner: JULES, FRANTZ F CENTRAL FAX CENTER

Applicant submits that the cited prior art reference fails to disclose all the elements found in the amended claims. Amended claim I now points out that at

DEC 2 2 2006

least one movable supporting roller (22) is in contact with the idler wheel (3) so \_\_\_\_

### HEDMAN & COSTIGAN, P.C.

ATTORNEYS AT LAW

1185 AVENUE OF THE AMERICAS NEW YORK, NEW YORK 10036-2646

EDWARD A. HEDMAN 1927-2004

TELEPHONE 6868-SOE (213)

TELECOPIER 4668-305 (213)

E-MAIL mail@hgcpatont.com

CHARLES A. MUSERLIAN

OF COUNSEL

## TELECOPIER TRANSMISSION

273-8300
163-592

(IF THERE ARE ANY PROBLEMS REGARDING THIS TRANSMISSION, PLEASE CALL (212) 302-8989, EXT. 40 OR 41)

#### CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS FACSIMILE IS CONFIDENTIAL AND MAY BE SUBJECT TO THE ATTORNEY-CLIENT PRIVILEGE OR ATTORNEY WORK PRODUCT EXCLUSION.

THIS PACSIMILE IS ONLY INTENDED FOR THE DESIGNATED RECIPIENT (S). ANY RECIPIENT OTHER THAN THE DESIGNATED RECIPIENT (S) IS HEREBY NOTIFIED THAT MAY DISCLOSURE OR USE OF THE INFORMATION IS UNAUTHORIZED AND PROHITIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE NOTIFY: HEDMAN & COSTIGAN, P.C. BY TELEPHONE AT (212) 302-8989

REMARKS: [X] Urgent [] For Your Review/Comments []Rcply ASAP []FYI [ ] Per Your Request Original [] will / [X] will not follow

# RE: Serial No. 10/5/9,736

Enclosed an Amendment; in response to the Office Action mailed on September 26 2006.

I hereby certified that correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 571-273-8300 on December 22, 2006.

Y-Costigan, Registration No. 25,669

# RECEIVED CENTRAL FAX CENTER DEC 2 2 2006

163-592

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE PATENT OPERATION

In re application of:

Giovanni Vertoni

Serial No.: 10/519,736

Group Art Unit: 3617

Filed: December 28, 2004

Examiner: JULES, FRANTZ F

For TRACK-TIGHTENING DEVICE FOR CRAWLERS

New York, NY 10036 December 22, 2006

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### <u>AMENDMENT</u>

Sir:

Applicant herein responds to the Office Action dated September 26, 2006 in the above-identified patent application. Entry of the present amendments and favorable consideration of the pending claims is respectfully requested based on the following amendments and remarks.